

Message Text

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ORIGIN L-03

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FM SECSTATE WASHDC

TO AMEMBASSY PARIS PRIORITY

UNCLAS STATE 193670

EO 11652: NA

TAGS: PFOR

SUBJECT: REQUEST FOR WAIVER FOR DIPLOMATIC IMMUNITY

OF DEPENDENT OF MAAG OFFICER

REF: PARIS 24417 AND PREVIOUS

1. EMBASSY REQUESTED AUTHORITY FROM DEPARTMENT FOR WAIVER OF "DIPLOMATIC IMMUNITY" OF MRS. ANN G. LEVERONE, DEPENDENT WIFE OF CAPTAIN R. M. LEVERONE, US NAVY, CHIEF NAVAL AFFAIRS IN ORDER ACCEPT EMPLOYMENT AS SECOND-GRADE TEACHER. EMBASSY EXPLAINED THAT WHAT IS REQUIRED IS RELINQUISHMENT OF DIPLOMATIC PRIVILEGES AND IMMUNITIES AND DIPLOMATIC IDENTIFICATION CARD, BUT NOT "GENERAL WAIVER OF IMMUNITY." SIMILAR ISSUE HAS BEEN RAISED AT OTHER POSTS. DEPARTMENT IS REPEATING STATE'S 149301 TO PORT OF SPAIN WHICH CONTAINS DISCUSSION OF NEARLY IDENTICAL QUESTION.

2. IN SUM, DEPARTMENT SEES NO OBJECTION TO WAIVER OF PRIVILEGES BUT WILL NOT AUTHORIZE TOTAL WAIVER OF IMMUNITY FROM CIVIL AND CRIMINAL JURISDICTION EXCEPT ON CASE BY CASE BASIS. REGARDING CIVIL JURISDICTION, IF NO MORE REQUIRED THAN AGREEMENT TO SUBMIT TO JURISDICTION IN CASES FALLING WITHIN ARTICLE 31(1)(C) OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS, THEN DEPARTMENT IN UNCLASSIFIED

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NO POSITION TO RAISE OBJECTION SINCE NO IMMUNITY ENJOYED

UNDER THESE CIRCUMSTANCES IN ANY EVENT. UNDER THIS

ARTICLE OF THE CONVENTION, NO IMMUNITY IS EXTENDED TO
DIPLOMATIC AGENTS OR DEPENDENTS RESPECTING CIVIL AND
ADMINISTRATIVE JURISDICTION IN THE CASE OF "AN ACTION
RELATING TO ANY PROFESSIONAL OR COMMERCIAL ACTIVITY
EXERCISED BY THE DIPLOMAT IN THE RECEIVING STATE OUTSIDE
HIS OFFICIAL FUNCTIONS." KISSINGER

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